er No. 28880 Confirmation No. PTO/SB/21 (03-03) Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE er the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/790,312 **TRANSMITTAL** Filing Date March 01, 2004 **FORM** First Named Inventor JOSEPH P. REO Art Unit (to be used for all correspondence after initial filing) **Examiner Name** Not yet assigned Attorney Docket Number 00757 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to a Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Provisional Application Proprietary Information Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): -- Copies of References cited in IDS Request for Refund **Express Abandonment Request** --Return postcard -- Authorization debit/credit charge account CD, Number of CD(s) Information Disclosure Statement 23-0455 Remarks Certified Copy of Priority AUTHORIZATION TO CHARGE THE FEE AND ANY ADDITIONAL FEES AS Document(s) NECESSARY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT Response to Missing Parts/ 21-0718 IS HEREBY GIVEN. Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Karen B. King Reg. No. 41.898 Individual Signature

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			U. S. PATEN	DOCUMENTS		
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		^{US-} 5,633,006	05-27-1997	Catania, et al		
		^{US-} 6,197,348	03-06-2001	Morella, et al		
		us- 4,994,260	02-19-1991	Kallstrand, et al		
		^{US-} 5,164,510	11-17-1992	Brickner, et al	-	
		^{US-} 5,231,188	07-27-1993	Brickner, et al		
		^{US-} 5,565,571	10-15-1996	Barbachyn, et al		
		^{US-} 5,627,181	05-06-1997	Riedl, et al		
		US- 5,652,238	07-29-1997	Brickner, et al		
		^{US-} 5,688,792	11-18-1997	Barbachyn, et al		
		^{US-} 5,698,574	12-16-1997	Riedl, et al		
		^{US-} 6,069,145	05-30-2000	Betts		
		^{US-} 5,085,868	02-04-1992	Mattsson, et al		
		^{US-} 6,197,348 B1	03-06-2001	Morella, et al		
		US- 4,656,027	04-07-1987	Sjoovist		
		US- 6,239,152 B1	05-29-2001	Gordeev, et al		
		us- 5,354,556	10-11-1994	Sparks, et al		
		^{US-} 5,730,997	03-24-1998	Lienhop, et al		
		^{US-} 5,658,919	08-19-1997	Sheila, et al		
		US-				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY			T⁵
	EP	717,992 A2	06-26-1996	Ratnaraj, et al		
	EP	0620001 A1	10-19-1994	Ratnaraj, et al		
	WO	99/63937	12-16-1999	Griffin, et al		
	WO	02/072102 A1	09-19-2002	Ulrich, et al		
	wo	02/09666 A1	02-07-2002	Keating, et al		
	WO	015248 A2		Percel, et al		

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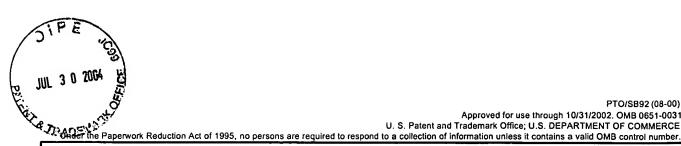
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			001.00115-	Application Number	10/790,312	
			SCLOSURE	Filing Date	March 1, 2004	
STATEMENT BY APPLICANT		First Named Inventor	JOSEPH P. REO			
OTATEMENT BY ATTERANT				Group Art Unit		
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U.S. Dept. of Health and Human Services Food and Drug Administration "Petition for regulatory action revise the labeling requirements for foods containing sorbitol" 27 Sep. 1999 Online. Food Safety. Availahttp://www.cspinet.org/foodsafety/labeling_sorbitol.html					
		"Zyvox" Physician's Desk Reference, 57th ed. Thompson, 2003:2800-2805			
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